

Executive Registry
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MEMORANDUM FOR NATIONAL FOREIGN INTELLIGENCE COMMUNITY

SUBJECT: Policy Guidance for National Foreign Intelligence
Program Budget Reprogramming Actions

1. Section 1-602(f) of Executive Order 12036 says: "The Director of Central Intelligence shall have full and exclusive authority for reprogramming National Foreign Intelligence Program funds, in accord with guidelines established by the Office of Management and Budget, but shall do so only after consultation with the head of the department affected and appropriate consultation with the Congress."

2. The Office of Management and Budget has issued "Guidelines Established Pursuant to Section 1-602 of Executive Order 12036 (Reprogramming)." They are attached for your information.

3. In addition to the requirement to notify OMB formally prior to implementation or congressional notification on reprogramming actions, the Chairman of the Senate Select Committee on Intelligence has requested fuller justifications for reprogramming actions. He says that he is also particularly interested in the DCI's views.

4. In order to implement the provisions of the Executive Order, all reprogramming action involving NFIP funds which require Congressional notification or approval will be submitted to the DCI for prior review.

5. The Deputy to the DCI for Resource Management is delegated authority to ensure implementation of the provisions of the Executive Order. The criteria set forth in the OMB guidelines are generally applicable. Procedures will be further specified, if required, following consultation between the Resource Management Staff and other components of the NFIP.

Attachment:
A/S

/s/ Stansfield Turner

GUIDELINES ESTABLISHED PURSUANT TO
SECTION 1-602 OF EXECUTIVE ORDER 12036 (REPROGRAMMING)

The heads of departments and agencies, in consultation with the Director of Central Intelligence, are responsible for the establishment of sub-allocations of appropriations or other systems of administrative control for National Foreign Intelligence Program funds consistent with Section 3679 of the Revised Statutes. They are also responsible for financial accounting, internal audit, and control and accountability over funds as prescribed in the Budget and Accounting Procedures Act of 1950, as amended, and for personnel management as prescribed by law.

The Director of Central Intelligence is responsible for the issuance of appropriate instructions to affected departments and agencies for the reprogramming of National Foreign Intelligence Program funds. Such instructions shall include definitions, criteria, and procedures for reprogramming and a mechanism for establishing a base from which reprogramming is to be measured. These instructions shall be coordinated with affected departments and agencies and the Office of Management and Budget (OMB) in order to ensure that they are compatible with apportionment procedures and systems of administrative control of funds. Reprogrammings implemented by the DCI must be consistent with apportionments and systems of administrative control under Section 3679 of the Revised Statutes, appropriations, and other laws.

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These reprogrammings require OMB coordination or approval. The instructions issued by the DCI should inform agencies of the need to assure sufficient time to allow the DCI to coordinate, as necessary, with OMB on these matters prior to presentation to the Congress of any proposed reprogramming action. Reprogrammings other than those listed above normally do not require prior OMB approval; information copies should, however, be provided.